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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,339	08/30/2001	Mark A. Lundgren	7784-000289	1861

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EXAMINER	
LEE, CHEUKFAN	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/944,339	LUNDGREN, MARK A.	
	Examiner	Art Unit	
	Cheukfan Lee	2622	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 April 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. Claims 1-20 are pending. Claims 1, 9 and 16 are independent.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5 and 7-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawamura et al. (U.S. Patent No. 6,252,683).

Regarding claim 1, Kawamura et al. discloses a paper retention assembly for a portable printer comprising a housing (14), a supply paper compartment (paper feed tray 24) within the housing (14), and a printed paper compartment (ejected paper tray 9) within the housing (14) (Fig. 1, col. 3, lines 10-52).

Regarding claim 2, the plate (9) of ejected paper tray (9) reads on the claimed divider separating the housing into the supply paper compartment and the printed paper compartment.

Regarding claim 3, the housing (14) further comprises a transparent member (cover 23) adjacent the printed paper compartment (ejected paper tray 9).

Regarding claims 4 and 5, the housing (14) further comprises an openable panel (cover 23) in a first mode enclosing the printed paper compartment (ejected paper tray

9) and in a second mode exposing the printed paper compartment (ejected paper tray 9) (Figs. 1 and 2). The panel (23) is a transparent (translucent) portion (col. 3, lines 46-65)

Regarding claim 7, the supply paper compartment (paper tray 24) and the printed paper compartment (ejected paper tray 9) are adjacent and parallel to each other (Fig. 1).

Regarding claim 8, according to Fig. 1, the supply paper exit port is formed downstream of the supply paper compartment (24), and the printed paper entry port is formed upstream of the printed paper compartment (9), the supply paper exit port being located adjacent to and considered parallel with the printed paper entry port (see arrows, too, in Fig. 1).

Regarding claim 9, the printer of Kawamura et al. (Fig. 1) also comprises a printing assembly including print head (1), in addition to the features discussed for claim 1 and claimed in claim 9.

For claim 10, see discussions for claims 2 and 7.

Regarding claim 11, the divider (9) has an openable portion (22) to enable access to the supply paper compartment (24).

Regarding claim 12, the transparent (translucent) member (23) reveals an interior of the printed paper compartment (ejected paper tray 9).

Regarding claim 13, see discussions claims 4 and 9.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 6 and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al. (U.S. Patent No. 6,252,683) in view of Applicant's admitted prior art.

Regarding claim 6, the housing discussed for claim 1 above comprises a first panel member (bottom panel of housing 14), a second panel member (top panel 23) spaced apart from the first panel member (bottom panel) by a wall (the left wall viewed in Fig. 1), and a divider (9) separating an interior volume of the housing into two parts, the upper part being the printed paper compartment (ejected paper tray), and the lower part containing the supply paper compartment.

Kawamura et al. differs from the claimed invention in that the space between the lower or first panel member and the divider is occupied not only by the supply paper compartment but also by a control section (28).

Applicant's admitted prior art shown in Fig. 1 and explained on page 1 of the specification does not include a control section. However, one of ordinary skill in the art would have realized that the control section must be placed somewhere, which may or may not be with the printing section and supply and printed papers. That means,

Applicant shows that a printing and paper assembly that does not have control section therewith.

Since Kawamura et al. shows nothing else besides the control section (28) below the supply paper compartment, it would have been obvious to one of ordinary skill in the art at the time the invention was made to place the control section somewhere else and make the whole space of the lower part of the housing (14) between the divider (9) and the bottom panel member of the housing (14) of Kawamura et al. as the supply paper compartment in order to enlarge the supply compartment so as to enable loading of a larger number of sheets of supply paper at one time.

Regarding claim 14, Kawamura et al. discussed for claim 9 above also discloses a printing assembly including print head (1) and a plurality of rollers (2, 4, and 5). Kawamura et al. does not disclose that the printing assembly has a print housing. The printing assembly and compartments (paper trays) are within the housing (14).

Applicant's prior art assembly (prior art Fig. 1) has a print housing (14). A plurality of guide rollers (three rollers) are disposed within the print housing, and a print head (20) coupled to the print housing (14) adjacent at least one (the large roller) of the guide rollers.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to house the print assembly of Kawamura et al. in a print housing as taught by Applicant's admitted prior art to reduce the horizontal dimension of the printer.

Regarding claim 15, as discussed for claim 8 above, the paper entry port and the paper exit port are formed upstream and downstream, respectively, of the housing (14) of Kawamura et al. (Fig. 1). Kawamura et al. and the claimed invention differ from each other in the print housing as discussed for claim 14 above. However, as discussed for claim 14, the printing element and guide rollers are within the housing for the reasons of obviousness given for claim 14, and paper entry port and paper exit port are adjacent and parallel to each other (Fig. 1 of Applicant's prior art).

Regarding claim 16, the portable printer is Kawamura et al. in view of Applicant's admitted prior art meet all the claimed limitations. Please note that the print housing (14) of Applicant's prior art discussed for claims 14 and 15, and the paper retention assembly of Kawamura et al. mentioned for claim 6 above (claim 1 +), including a paper housing (14), a divider (9), supply paper exit port from tray (24), printed paper entry port into tray (9). Based on the reasons of obviousness for combining the two housings (14 of Kawamura et al. and 14 of Applicant's prior art Fig. 1), a portable printer as claimed in claim 16 is provided.

Regarding claims 17 and 18, the second panel (top panel of housing) of Kawamura et al. includes a transparent (translucent portion 23), which is operable in a first mode enclosing the printed paper compartment (tray 9 of Kawamura et al.) and a second mode exposing the printed paper compartment (tray 9).

Regarding claim 19, the supply paper compartment (24) and the printed paper compartment (tray 9) are disposed adjacent to and parallel with each other (Fig. 1 of Kawamura et al.).

Regarding claim 20, the divider (9 of Kawamura et al.) has a portion (22) that is openable to enable access to the supply paper compartment (tray 24).

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hoshino (U.S. Patent No. 4,969,048) discloses an image recorder having specific sheet tray with hopper and discharge portions.

Fujiwara (U.S. Patent No. 5,897,110) discloses an image reading apparatus having a drawable hopper table with a hopper and an image read head.

Maeda et al. (U.S. Patent No. 5,944,306) discloses a package of thermal recording sheets and a magazine, having an openable cover portion (84 in Fig. 3).

Chiu (U.S. Patent No. 6,474,884) discloses a printer and printer paper tray for both printing paper and printed paper.

Chiu (U.S. Patent No. 6,106,178) discloses a printer and a single printer paper tray for both supply paper and printed paper.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
Feb. 5, 2005